

19

MEMORANDUM

September 30, 1971

TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: Robert T. Kenney  
SUBJECT: BOARD OF APPEAL REFERRALS

Petition No. Z-2254  
Pasquale Fraticelli  
82-86 Prince Street, North End

Petitioner seeks a forbidden use permit and a variance for a change of occupancy from 16 apartments and two stores to 20 apartments in a local business (L-2) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families and not meeting one half the requirements of open space is forbidden in an L-2 district.		
Section 17-1. Open space is insufficient	100 sf/du	0

The property, located on Prince Street at the intersection of Lombard Place, contains a five story brick structure. The conversion of the two stores has already been accomplished. The additional apartments are much needed in the neighborhood and the appearance of the property has been improved. Recommend approval.

VOTED: That in connection with Petition No. Z-2254, brought by Pasquale Fraticelli, 82-86 Prince Street, North End, for a forbidden use permit and a variance for a change of occupancy from 16 apartments to 20 apartments in a local business (L-2) district, the Boston Redevelopment Authority recommends approval. The conversion of the two stores has already been accomplished. The additional apartments are much needed in the neighborhood and the appearance of the property has been improved.





Z-2254  
82-86 PRINCE ST.  
(B. P.)



Board of Appeal Referrals 9/30/71

Petition No. Z-2256  
Cohasset Holding Co., Inc.  
130-138 North Beacon Street, Brighton

Petitioner seeks a change in a non conforming use for a change of occupancy from wholesale beauty supplies to warehouse for wholesale flooring material, office and two vehicle garage in a local business (L-1) district. The proposal would violate the code as follows:

Section 9-2. A change in a non conforming use requires a Board of Appeal hearing.

The property, located on North Beacon Street between Dustin and Murdock Streets, contains a one story masonry structure. The proposed use would be innocuous and would be consistent with wholesale distribution activities prevalent in this area. Recommend approval.

VOTED: That in connection with Petition No. Z-2256, brought by Cohasset Holding Co., Inc., 130-138 North Beacon Street, Brighton, for a change in a non conforming use for a change of occupancy from wholesale beauty supplies to warehouse for wholesale flooring materials, office and two vehicle garage in a local business (L-1) district, the Boston Redevelopment Authority recommends approval. The proposed use would be innocuous and would be consistent with wholesale distribution activities prevalent in this area.





Z-2256  
130-138 NORTH BEACON ST.  
(BRIGHTON)

PLAYGROUND

(PART OF)  
604,197



Board of Appeal Referrals 9/30/71

Petition No. Z-2257  
Louis D'Allesandro  
5 Trenton Street (Rear), East Boston

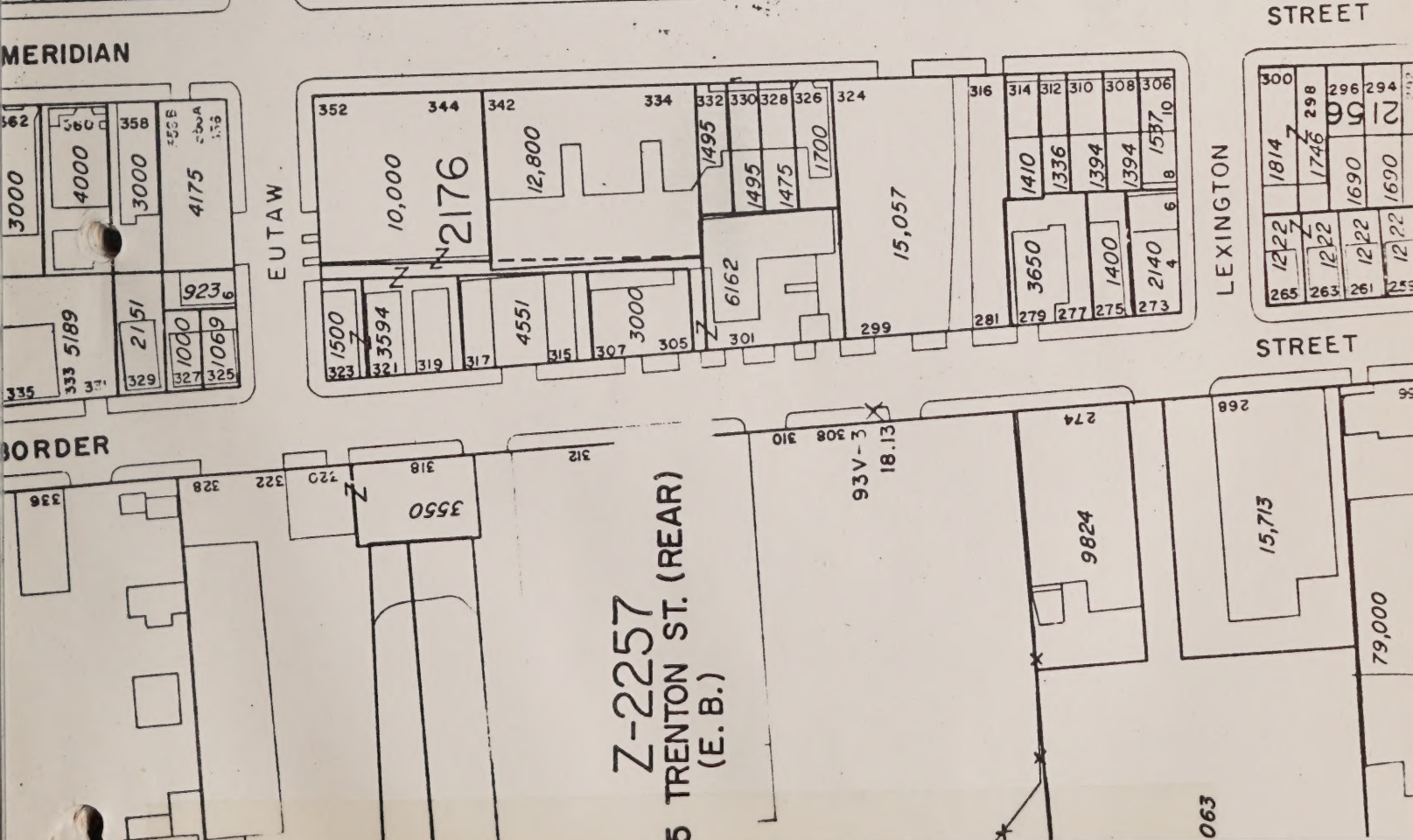
Petitioner seeks a forbidden use permit and four variances to erect a one story plumbing supply warehouse in an apartment (H-1) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A warehouse is forbidden in an H-1 district.		
Section 14-1. Lot area is insufficient	5000 ft.	2944 ft.
Section 18-1. Front yard is insufficient	25 ft.	0
Section 19-1. Side yard is insufficient	10 ft.	0
Section 20-1. Rear yard is insufficient	30 ft.	0

property, located between Trenton and Lexington Streets, contains 2944 square feet of land. The proposed 18 foot high 64' x 46' plumbing supply warehouse would be situated at the rear of residential properties in the above streets. Exterior concrete block walls have already been constructed. The area is predominately residential three family. Completion of the structure would seriously impair the provision of sufficient light and air to the abutting residences and would be a detriment to the neighborhood.  
Recommend denial.

VOTED: That in connection with Petition No. Z-2257, brought by Louis D'Allesandro, 5 Trenton Street (Rear), East Boston, for a forbidden use permit and four variances to erect a one story plumbing supply warehouse in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. The proposed 18 foot high 64' x 46' warehouse would be situated at the rear of residential properties on Trenton and Lexington Streets. Exterior concrete block walls have already been constructed. Completion of the structure would seriously impair the provision of sufficient light and air to abutting properties and would be a detriment to this predominately three family neighborhood.







Board Of Appeal Referrals 9/30/71

Petition No. Z-2258

Real Estate Investment Trust of America  
19-39 Fordham Road, Allston

Petitioner seeks a change in a non conforming use for a change of occupancy from storage, office and drafting room to office, storage of building materials, pipe fabricating and welding in an apartment (H-1) district. The proposal would violate the code as follows:

Section 9-2. A change in a non conforming use requires a Board of Appeal Hearing.

The property, located on Fordham Road between Brighton and Commonwealth Avenues, contains a one story masonry structure. The proposed non conforming industrial use with its attendant activity and commercial traffic would have an injurious effect and deteriorating influence on the abutting residential oriented neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-2258, brought by Real Estate Investment Trust of America, 19-39 Fordham Road, Allston, for a change in a non conforming use for a change of occupancy from storage, office and drafting room to office, storage of building materials and pipe fabricating and welding in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. The proposed non conforming industrial use with its attendant activity and commercial traffic would have an injurious effect and deteriorating influence on the abutting residential properties and the surrounding residential apartment oriented neighborhood.



COMMONWEALTH



Board of Appeal Referrals 9/30/71

Petition No. Z-2260  
Maurice Galer  
255 Berkeley Street, Back Bay

Petitioner seeks two forbidden use permits for a change of occupancy from 15 apartments to 13 apartments, drug store and self-service laundry in an apartment (H-5-70) district. The proposal would violate the code as follows:

Section 8-7. A drug store is forbidden in an H-5 district.  
Section 8-7. A self-service laundry is forbidden in an H-5 district.

The property, located on Berkeley Street at the intersection of Commonwealth Avenue, contains a four story and basement apartment dwelling. The petitioner proposes to convert two basement apartments into a drug store and a coin-operated laundry. These proposed facilities would have a deteriorating and blighting effect on surrounding residential properties. Additional traffic generated by the proposal would intensify the critical congested conditions now existing in the area. The Back Bay civic organizations are strongly opposed to the proposal. Recommend denial.

VOTED: That in connection with Petition No. Z-2260, brought by Maurice Galer, for two forbidden use permits for a change of occupancy from 15 apartments to 13 apartments, drug store, and self-service laundry in an apartment (H-5-70) district, the Boston Redevelopment Authority recommends denial. The proposed facilities would have a deteriorating and blighting effect on surrounding residential properties. Additional traffic generated by the proposal would intensify the critical congested conditions now existing in the area. The Back Bay civic organizations are strongly opposed to the proposal.





**Z-2260**  
**255 BERKELEY ST.**  
**(B.P.)**



Board of Appeal Referrals 9/30/71

Petition No. Z-2261  
Dr. Joseph J. Swirbalus  
589-591 East Broadway, South Boston

Petitioner seeks three variances to legalize an existing occupancy for a two family dwelling and dental office and erect a one story addition to the dental office in a local business (L-1) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 14-1. Lot area for additional unit is insufficient	1000 sf/du	0
Section 15-1. Floor area ratio is excessive	1.0	1.4
Section 19-1. Side yard is insufficient	11 ft.	0

The property, located on East Broadway between H and I Streets, contains a three story frame structure. The dental office-residential occupancy has existed for several years. The petitioner proposes to erect a one story addition at the rear of the structure to supplement the dental office. The violations would not have a significant effect on this mixed commercial-residential neighborhood. Recommend approval.

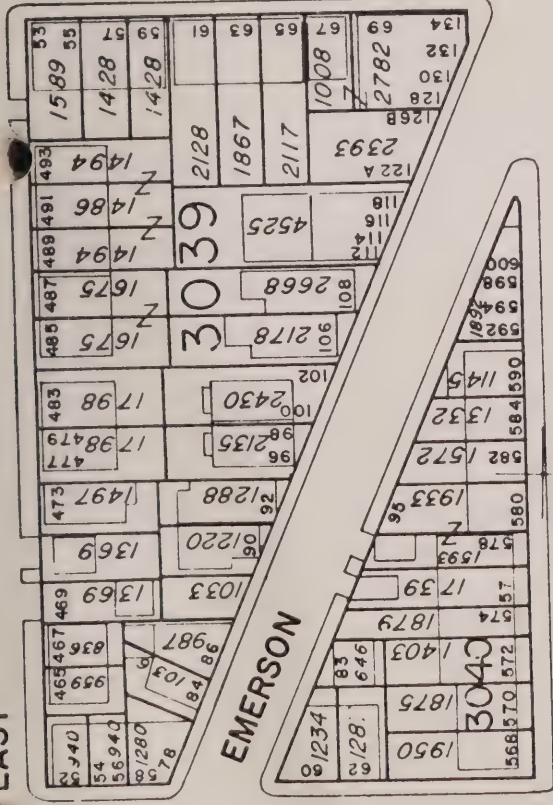
VOTED: That in connection with Petition Z-2261, brought by Dr. Joseph J. Swirbalus, 589-591 East Broadway, South Boston, for three variances to legalize an existing occupancy for a two family dwelling and dental office and erect a one story addition to the dental office in a local business (L-1) district, the Boston Redevelopment Authority recommends approval. The dental office-residential occupancy has existed for several years. The violations would not have a significant effect on this mixed commercial-residential neighborhood.



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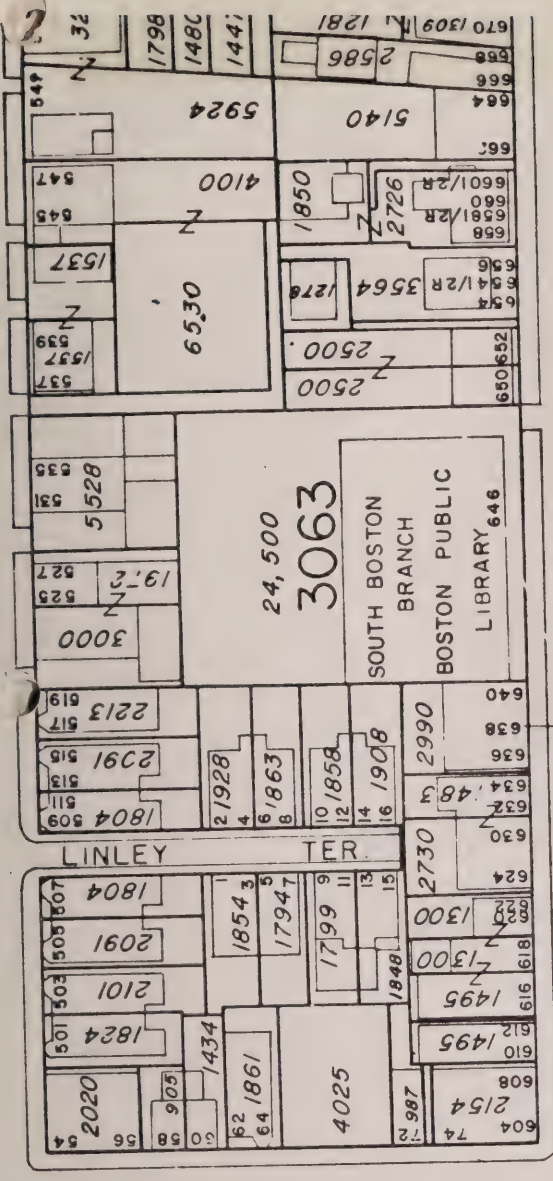
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THIRD

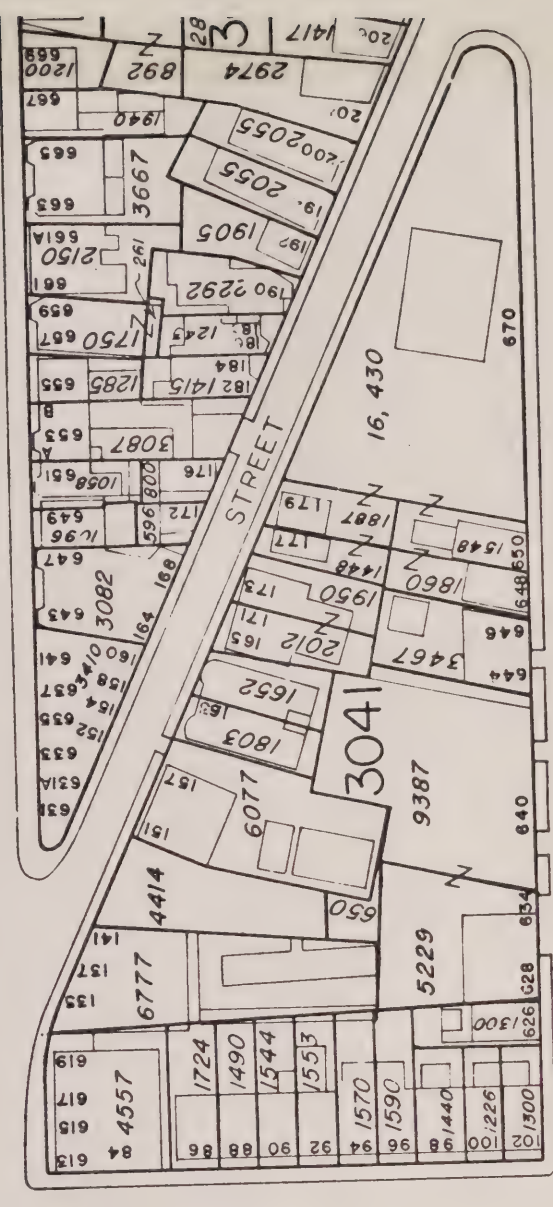
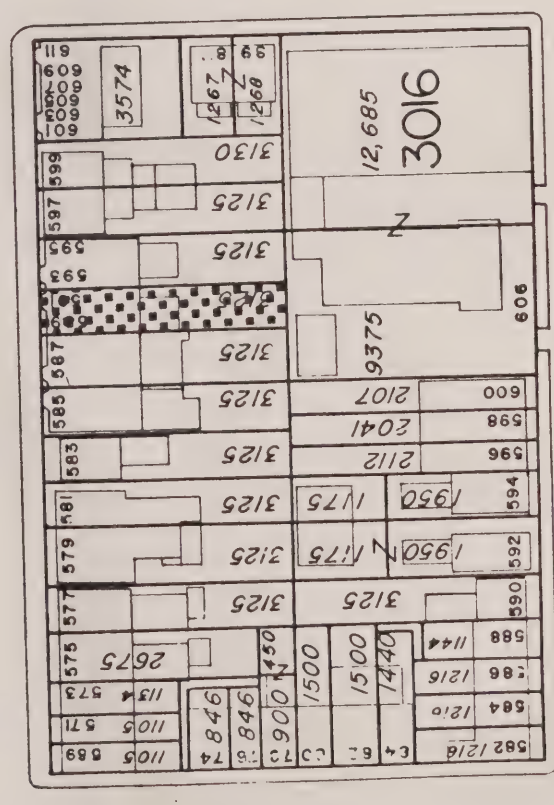


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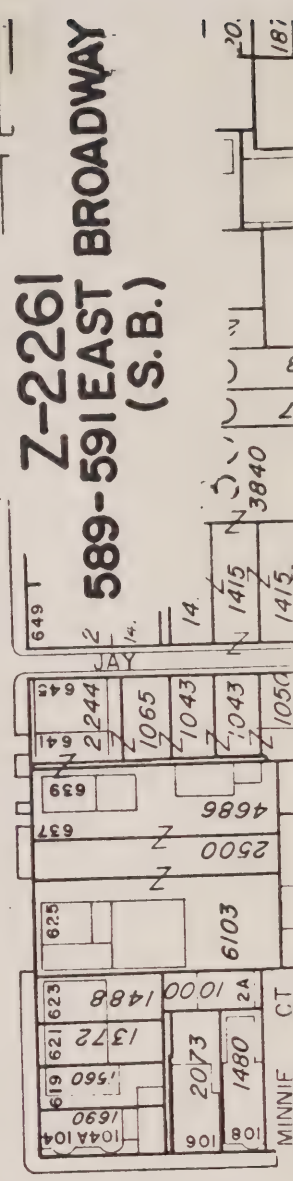
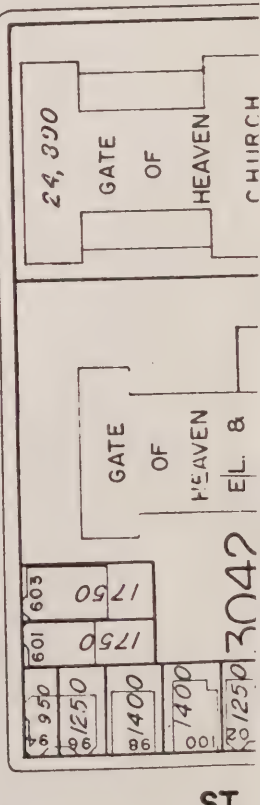
STREET



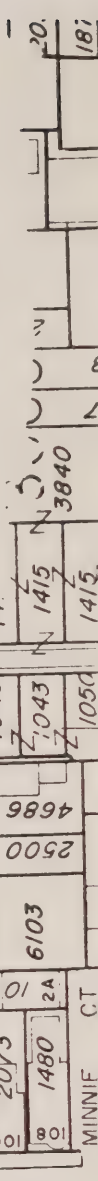
EAST



EAST FOURTH



ST.





Board of Appeal Referrals 9/30/71

Petition No. Z-2262  
Humble Oil & Refining Co.  
194-212 Western Avenue, Brighton

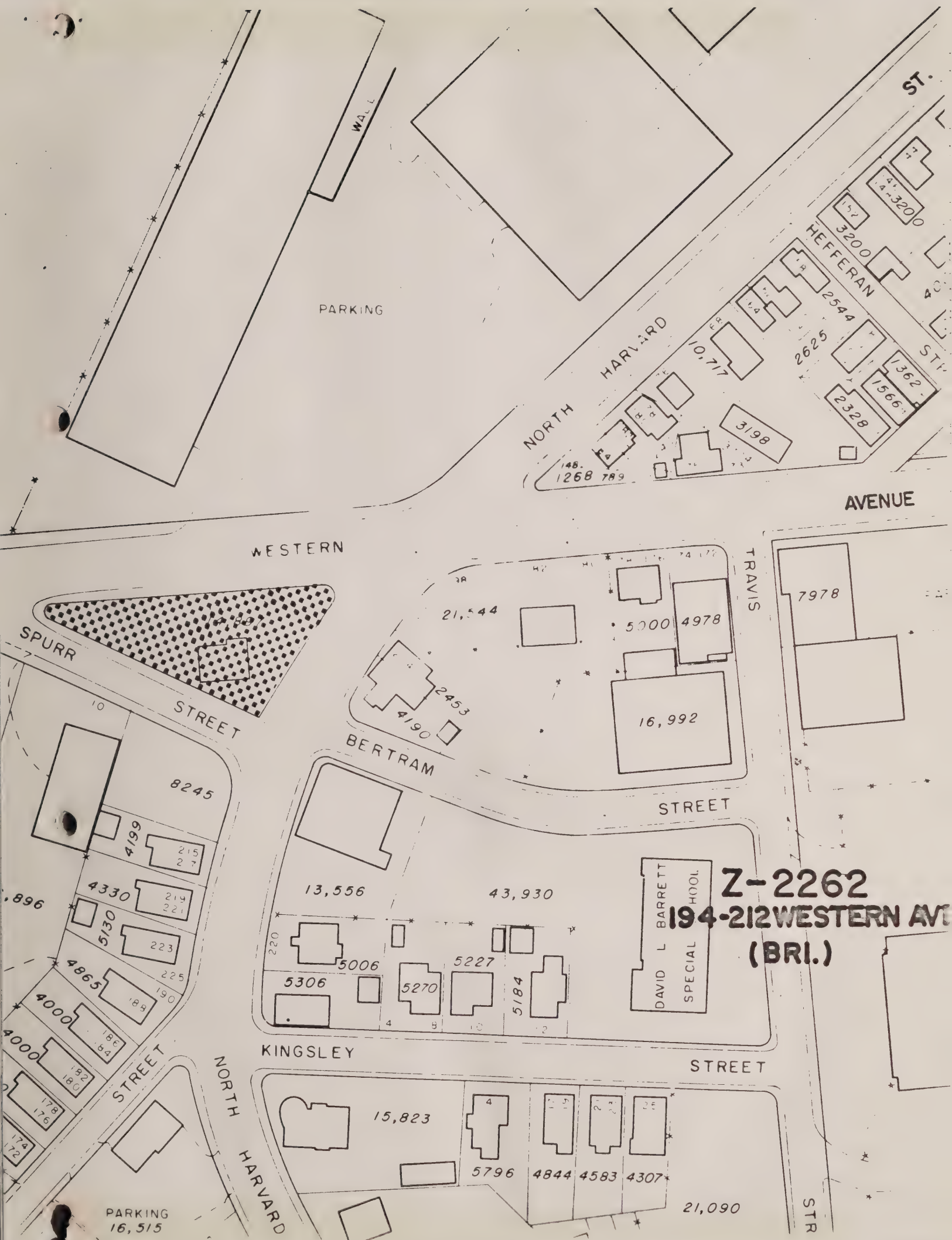
Petitioner seeks a conditional use permit and a variance to erect a three bay gas service station in a local business (L-15) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A gasoline service station is conditional in an L-15 district.		
Section 18-4. Front yard is insufficient	15 ft.	0

The property, located on Western Avenue at the intersection of North Harvard Street, contains a gas service station which would be demolished. The proposed new gas service station would include a Massachusetts inspection bay and two new pump islands. The staff has no objection provided that the design, access and landscaping conform to Board of Appeal Guidelines for Automobile Service Station Construction. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2262, brought by Humble Oil & Refining Co., 194-212 Western Avenue, Brighton, for a conditional use permit and a variance to erect a three bay gas service station in a local business (L-15) district, the Boston Redevelopment Authority recommends approval provided that design, access and landscaping conform with the Board of Appeal Guidelines for Automobile Service Station Construction.







Board of Appeal Referrals 9/30/71

Petition No. Z-2263  
Skender Mullai  
137-139 L Street, South Boston

Petitioner seeks a change in a non conforming use for a change of occupancy from a store and two apartments to a restaurant and two apartments in an apartment (H-1) district. The proposal would violate the code as follows:

Section 9-2. A change in a non conforming use requires a Board of Appeal hearing.

The property, located on L Street at the intersection of East Sixth Street, contains a three story frame structure. This petition would legalize a restaurant occupancy which has existed for many years. The use would not have a detrimental effect on this residential-local business neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-2263, brought by Skender Mullai, 137-139 L Street, South Boston, for a change in a non conforming use for a change of occupancy from a store and two apartments to a restaurant and two apartments in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. The restaurant occupancy, which has existed for many years, would be legalized. The use would not have a detrimental effect on this residential-local business neighborhood.



754	756	758	760	762	764	766	768	770	772	774	776	778	780
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BROADWAY EAST

[illegible]

FOURTH ST.

The map shows a residential neighborhood with the following details:

- Streets:**
  - 286** (horizontal street at the top)
  - ST.** (vertical street on the right)
  - 16,700** (horizontal street at the bottom)
- Buildings and Lots:**
  - JOSEPH TACKERMAN SCHOOL** (large building at the top left)
  - 3143** (lot number at the top right)
  - 3144** (large lot number in the center)
  - 307** (lot number on the right side)
  - 2355** (lot number on the right side)
  - 2767** (lot number on the right side)
  - 656** (lot number on the right side)
  - 5163** (lot number on the right side)
  - 1800** (lot number on the right side)
  - 638** (lot number on the right side)
  - 650** (lot number on the right side)
  - 1751** (lot number on the right side)
  - 646** (lot number on the right side)
  - 644** (lot number on the right side)
  - 642** (lot number on the right side)
  - 640** (lot number on the right side)
  - 289** (lot number on the right side)
  - 291** (lot number on the right side)
  - 1653** (lot number on the right side)
  - 1740** (lot number on the right side)
  - 293** (lot number on the right side)
  - 1740** (lot number on the right side)
  - 287** (lot number on the right side)
  - 285** (lot number on the right side)
  - 1880** (lot number on the right side)
  - 1862** (lot number on the right side)
  - 638** (lot number on the right side)
  - 636** (lot number on the right side)
  - 108** (lot number on the right side)
  - 1363** (lot number on the right side)
  - 106** (lot number on the right side)
  - 104** (lot number on the right side)
  - 102** (lot number on the right side)
  - 1273** (lot number on the right side)
  - 100** (lot number on the right side)
  - 1157** (lot number on the right side)
  - 98** (lot number on the right side)
  - 1150** (lot number on the right side)
  - 96** (lot number on the right side)
  - 1294** (lot number on the right side)
  - 94** (lot number on the right side)
  - 92** (lot number on the right side)
  - 1697** (lot number on the right side)

FIFTH ST.

[illegible]

102V - 2 **SIXTH** ST.  
X 34.72

637
616 <sup>7</sup>
635
349
653 3094
651 3094
645
4250
641 2161
639 2161
637 2899
635 2880
633 2486
631 17061
1847
629
627 1487



Board of Appeal Referrals 9/30/71

Petition No. Z-2264  
Commonwealth of Massachusetts  
Right of Way Bureau  
1170 Columbus Avenue, Roxbury

Petitioner seeks a conditional use permit for a change of occupancy from a police station to a residential drug rehabilitation center in a light manufacturing (M-2) district. The proposal would violate the code as follows:

Section 8-7. A center providing custodial care for drug addicts is a conditional use in an M-2 district.

The property, located on Columbus Avenue at the intersection of Roxbury Street at Roxbury Crossing in the Campus High Urban Renewal Area, contains a three story masonry structure (formerly Boston Police Station, Division 10). The residential drug rehabilitation center is existing. The structure contains offices and facilities for counseling and overnight care for 30 persons. The facility complies with Section 6-3 of the code (conditions required for approval). Recommend approval.

VOTED: That in connection with Petition No. Z-2264, brought by Commonwealth of Massachusetts, Right of Way Bureau, 1170 Columbus Avenue, Roxbury, in the Campus High Urban Renewal Area, for a conditional use permit for a change of occupancy from a police station to a residential drug rehabilitation center in a light manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval. The facility complies with Section 6-3 of the code (conditions required for approval).





**Z-2264**

**1170 COLUMBUS AVE.  
(ROX.)**



Board of Appeal Referrals 9/30/71

Petition No. Z-2269  
John Engeian  
1501 River Street, Hyde Park

Petitioner seeks a forbidden use permit for a change of occupancy from a one family dwelling to a one family dwelling and beauty shop in a residential (R-.5) district. The proposal would violate the code as follows:

Section 8-7. A beauty shop is forbidden in an R-.5 district.

The property, located on River Street near the intersection of Hillis Street, contains a two story frame dwelling. The immediate neighborhood is mixed residential - commercial - industrial. The petitioner proposes to operate the facility in the basement of the dwelling. The proposal would not have adverse environmental impacts on the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-2269, brought by John Engeian, 1501 River Street, Hyde Park, for a forbidden use permit for a change of occupancy from a one family dwelling to a one family dwelling and beauty shop in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. The proposed facility would not have adverse environmental impacts on this mixed residential - commercial - industrial neighborhood.





Z-2269  
1501 RIVER ST.  
(H.P.)

STREET

PARKING

BROOK

TANK

182,180

15,230

2243

3725

ROAD

ELLIS

STREET

RIVER

CHURCH

HILLIS



Board of Appeal Referrals 9/30/71

Petitions Nos. Z-2271 & 2274  
G. J. Sherrard Company  
Brook Realty Inc.  
60 School Street & 27-45 Province Street  
Boston

Petitioner seeks six variances to erect a 28 story tower addition to a hotel and combine with existing garage building in a general business (B-8) district. The proposal would violate the code as follows:

<u>60 School Street</u>	<u>Req'd</u>	<u>Proposed</u>
Section 15-1. Floor area ratio is excessive	8.0	11.3
<u>27-45 Province Street</u>		
Section 15-1. Floor area ratio is excessive	8.0	17.3
Section 18-2. Front yard is insufficient (Province Street)	0.4 ft.	0
Section 18-4. Front yard is insufficient (Chapman Place)	20 ft.	0
Section 21-1. Setback of parapets is insufficient	19 ft.	0
	35 ft.	0
	31 ft.	0
	26 ft.	18 ft.
Section 24-1. Off street loading bays are insufficient insufficient	2 bays	0

The property, located on School, Tremont and School Streets contains a hotel, parking garages and an open air parking lot. The petitioner proposes to erect a 28 story steel frame 279 room tower addition to the Parker House Hotel on the parking lot and combine the hotel with the existing 14 story garage on Province Street. The proposed tower would be connected to the hotel by a three story bridge across Chapman Place and to the garage by street level openings. A new entrance and lobby in the proposed tower would replace the existing lobby and entrances on School and Tremont Streets. A new trade show entrance to the existing hotel would be constructed at street level on Chapman Place. The proposal would substantially relieve existing traffic conditions on School and Tremont Streets. The staff recommends approval subject to petitioner's acceptance of design control by the urban design staff through the standard four stage design review process. Recommend approval with proviso.

VOTED: That in connection with Petitions Nos. Z-2271 & 2274, brought by G. J. Sherrard Company and Brook Realty Inc., 60 School Street and 27-45 Province Street, Boston, for six variances to erect a 28 story tower addition to a hotel and combine with existing garage building in a general business (B-8) district, the Boston Redevelopment Authority recommends approval subject to appellant's acceptance of design control by the Authority through the standard four stage design review process.



GRANARY  
BURIAL  
GROUND  
(CEM)

Z-2271+74  
60 SCHOOL ST  
27-45 PROVINCE ST.  
(B.P.)



Board Of Appeal Referrals 9/30/71

Petition No. Z-2272  
St. Margaret's Hospital  
84 Cushing Avenue, Dorchester

Petitioner seeks a forbidden use permit for a change of occupancy from nurses' training school to outpatient clinic and nurses' residence in a residential (R-.8) district. The proposal would violate the code as follows:

Section 8-7. A clinic accessory to a hospital is forbidden in an R-.8 district.

The property, located on Cushing Avenue near the intersection of Jerome Street, contains a hospital complex. The outpatient clinic for obstetrics, gynecology and pediatrics is presently operated across the street from the hospital on Sawyer Avenue. The clinic would be relocated on the first floor of the school of nursing which is situated directly behind and adjacent to the hospital. The new location would enable the clinic to operate more efficiently. Proposed alterations would be adequate and appropriate for the operation of the clinic. Recommend approval.

VOTED: That in connection with Petition No. Z-2272, brought by St. Margaret's Hospital, 84 Cushing Avenue, Dorchester, for a forbidden use permit for a change of occupancy from nurses' training school to outpatient clinic and nurses' residence in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. The proposed location within the hospital complex would enable the outpatient clinic to operate more efficiently and provide beneficial services.



Z-2272  
84 CUSHING AVE.  
(DOR.)





